

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BRIGHT et al

Appln. No. 09/405,839

Filed: September 27, 1999

FOR: IMPROVED PLANT GERMPLASM



Group Art Unit: 1809

Examiner: A. Wang

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November 3, 1999

PRELIMINARY AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Prior to examination of the above referenced application on the merits, kindly enter the following preliminary amendment.

IN THE CLAIMS:

Please cancel claims 1-25 without prejudice or disclaimer.

Please add the following new claims:

- SUB
C12
- 26. An expression system functional in a plant comprising:
- (a) an inducible promoter sequence responsive to the presence or absence of an exogenous chemical inducer;

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
APPLICATION

Inventor(s): BRIGHT et al.

Appl. No.: 09

405,839

Series Code ↑

Serial No. ↑

Group Art Unit 1809

Examiner: A. Wang

Atty. Dkt. PM

263754

SEE37090

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Client Ref

Filed: September 27, 1999

Asst. Commissioner of Patents

Washington, D.C. 20231

Appl. Title: IMPROVED PLANT GERMPLASM

Sir:

REPLY/AMENDMENT/LETTER

Date: November 3, 1999

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

| | | | | | | | | | | | | | |
|---|--|----------------------------------|--|--|--|---------------|--|------------------------|--|-----------------|--|----------|--|
| 1. "Small Entity" statement(s) filed | | Claims remaining after amendment | | Highest number previously paid for | | Present Extra | | Large/Small Entity | | Additional Fee | | Fee Code | |
| <input type="checkbox"/> previously <input type="checkbox"/> herewith (No.) | | | | | | | | | | | | | |
| 2. Total Effective Claims | | 27 | | **minus | | 29 | | 0 | | x \$18/\$9 = | | + 0 | |
| 3. Independent Claims | | 1 | | ***minus | | 3 | | 0 | | x \$78/\$39 = | | + 0 | |
| 4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) | | | | | | | | | | + \$260/\$130 = | | + 0 | |
| 5. Original due Date: | | | | <input checked="" type="checkbox"/> NONE | | | | | | | | | |
| 6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached | | | | (1 mo) | | \$110/\$55 = | | | | | | 115/215 | |
| | | | | (2 mos) | | \$380/\$190 = | | + 0 | | | | 116/216 | |
| | | | | (3 mos) | | \$870/\$435 = | | | | | | 117/217 | |
| 7. Enter any previous extension fee paid since above original due date and subtract | | | | | | | | | | | | | |
| 8. | | | | | | | | Extension Fee Attached | | + 0 | | | |
| 9. If Terminal Disclaimer attached, add Rule 20(d) official fee | | | | | | | | + \$110/\$55 = | | + 0 | | 148/248 | |
| 10. If IDS attached requires Official Fee, add | | | | | | | | + \$240 = | | + 0 | | 126 | |
| or if Rule 97(d) Petition add | | | | | | | | + \$130 = | | + 0 | | 122 | |
| 11. After-Final Request Fee per rules 129(a) and 17(r) | | | | | | | | + \$760/380 = | | + 0 | | 146/246 | |
| 12. No. of additional inventions for examination per Rule 129(b) | | | | | | | | x \$760/380 ea = | | + 0 | | 149/249 | |
| 13. Petition fee for | | | | | | | | | | + | | | |
| 14. | | | | | | | | TOTAL FEE ENCLOSED = | | \$0 | | | |

15. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

16. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

17. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Dep. Acc. # 03-3975

Our Order No. 70608

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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-16 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Madison & Sutro LLP
Intellectual Property Group

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

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